

INVENTORSHIP DECLARATION BY JOINT INVENTORS

I HEREBY DECLARE THAT:

My residence, post office address, and citizenship are stated next to my name in PART A on hereof.

I believe I am the original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

VALUE-ADDED TRAITS IN GRAIN AND SEED TRANSFORMED WITH THIOREDOXIN

the specification of which:

- ☐ is attached hereto.
- ☒ was filed on March 29, 2000 as Application Serial No. 09/538,864.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim priority benefits under Title 35, United States Code §119 of any foreign application(s) for patent or inventor's certificate listed in PART B hereof and have also identified in PART B on hereof any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed.

I hereby claim the benefit under Title 35, United States Code §119(e) and §120, of any United States application(s) listed in PART C hereof and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations §1.56 which occurred between the filing date of the prior application and any national or PCT international filing date of this application.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please direct all telephone calls to Peter J. Dehlinger at (650) 324-0880. Address all correspondence to:

**Iota Pi Law Group
P.O. Box 60850
Palo Alto, CA 94306-0850**

INVENTORSHIP DECLARATION BY JOINT INVENTORS

PART A: INVENTOR INFORMATION AND SIGNATURE

Full name of FIRST inventor: Myeong-Je Cho

Citizenship: South Korea Post Office Address: 3419 Solomon Lane
Alameda, CA 94502

Residence (if different):

Inventor's Signature: Myeong Je Cho Date: 8/2/00

Full name of SECOND inventor: Peggy G. Lemaux

Citizenship: U.S.A. Post Office Address: 253 Corliss Drive
Moraga, CA 94556

Residence (if different):

Inventor's Signature: Peggy G. Lemaux Date: 8/02/00

Full name of THIRD inventor: Bob B. Buchanan

Citizenship: U.S.A. Post Office Address: 19 Tamalpais Road
Berkeley, CA 94708

Residence (if different):

Inventor's Signature: Bob B. Buchanan Date: 8/02/00

Full name of FOURTH inventor: Joshua Wong

Citizenship: US Post Office Address: 9 Viewmont Terrace
San Francisco, CA 94080

Residence (if different):

Inventor's Signature: Joshua Wong Date: Aug 2, 2000

Full name of FIFTH inventor: Corina MarxCitizenship: URUGUAY Post Office Address: 407 Sunny Slope
Oakland, CA 94610

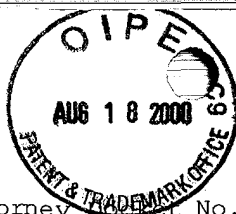
Residence (if different):

Inventor's Signature: Corina Marx Date: 8-2-00INVENTORSHIP DECLARATION BY JOINT INVENTORSPART B: CLAIM TO PRIORITY OF FOREIGN APPLICATION(S) UNDER 35 U.S.C. 119(a-d)

Country	App. No.	Filing Date
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PART C: CLAIM TO PRIORITY OF U.S. PROVISIONAL AND NONPROVISIONAL APPLICATION(S) UNDER 35 U.S.C. 119(e) AND 120

Serial No.	Filing Date	Status
<u>60/126,736</u>	<u>03/29/1999</u>	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input checked="" type="checkbox"/> Abandoned
<u>60/127,198</u>	<u>03/31/1999</u>	<input type="checkbox"/> Patented <input type="checkbox"/> Pending <input checked="" type="checkbox"/> Abandoned
<u>60/169,162</u>	<u>12/06/1999</u>	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned
<u>60/177,740</u>	<u>01/21/2000</u>	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned
<u>60/177,739</u>	<u>01/21/2000</u>	<input type="checkbox"/> Patented <input checked="" type="checkbox"/> Pending <input type="checkbox"/> Abandoned



79-063-2

Attorney Patent No.: 2001-0703.30
Applicant: Myeong-Je Cho et al.
Serial No.: 09/538,864
Filing Date: March 29, 2000
For: VALUE-ADDED TRAITS IN GRAIN AND SEED TRANSFORMED WITH
THIOREDOXIN

Small Entity Statement Under
37 CFR §1.9(f) and §1.27(c) - Nonprofit Organization

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: The Regents of the University of California
Address of Organization: 1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

- ☒ University or other institution of higher education.
☐ Tax exempt under Internal Revenue Service Code (26 USC §501(a) and §501(c)(3)).
☐ Nonprofit scientific or educational under statute of state of the United States of America.
 ☐ Name of State: ☐ Citation of Statute:
☐ Would qualify as tax-exempt under Internal Revenue Service Code (26 USC §501(a) and §501(c)(3)) if located in The United States of America.
☐ Would qualify as nonprofit scientific or educational non-profit under statute of state of The United States of America if located in The United States of America.
 ☐ Name of State: ☐ Citation of Statute:


I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9 (e), for purposes of paying reduced fees under 35 U.S.C. §41 to the U.S. Patent and Trademark Office in connection with the invention described in the above-referenced application. If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR §1.9 (d) or by any concern which would not qualify as an independent inventor under 37 CFR §1.9 (c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR §1.9 (d) or a nonprofit organization under 37 CFR §1.9 (e).

NOTE: Separate Verified Statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR §1.27).

Name: Applied Phytologics, Inc.Address: 4220 North Freeway Blvd.
Sacramento, California 95834-1219☐ individual ☒ small business concern ☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR \$1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this statement is directed.

Name of person signing: William A. HoskinsTitle of person signing: Director, UCB Office of Technology LicensingAddress of person signing: 2150 Shattuck Ave., Suite 510, Berkeley, CA
94720-1620Signature: Date: Aug 3, 2000



Attorney Docket No.: 2001-0703.30

Applicant: Myeong-Je Cho et al.

Serial No.: 09/538,864

Filing Date: March 29, 2000

For: **VALUE-ADDED TRAITS IN GRAIN AND SEED TRANSFORMED WITH
THIOREDOXIN**

Small Entity Statement Under
37 CFR 1.9(f) and 1.27(c) - Small Business Concern

I hereby declare that I am:

- ☐ The owner of the small business concern identified below:
- ☒ An official of the small business concern empowered to act on behalf of the concern identified below:

Name of Concern: Applied Phytologics, Inc.
Address of Concern: 4110 Freeway Boulevard
Sacramento, CA 95837-1219

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR §121.12, and reproduced in 37 CFR §1.9(d), for purposes of paying reduced fees under 35 U.S.C. §41 in that the number of employees, including those of its affiliates, does not exceed 500 persons and the concern has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or licenses, any rights in the invention to any person who could not be classified as an independent inventor if that person had made the invention, or to any concern which would not qualify as a small business concern or a nonprofit organization under this section. For this section, concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. The number of employees of the business concern is the average over the fiscal year of the persons employed during each of the pay periods of the fiscal year. Employees are those persons employed on a full-time, part-time or temporary basis during the previous fiscal year of the concern. I hereby declare that rights under contract or law in the above-identified application have been conveyed to and remain with the small business concern identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR §1.9(d) or by any concern which would not qualify as an independent inventor under 37 CFR §1.9(c) if that person made the invention; or by any concern which would not qualify as a small business concern under 37 CFR §1.9(d) or a nonprofit organization under 37 CFR §1.9(e).

NOTE: Separate statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR §1.27).

Name: The Regents of the University of California

Address: 1111 Franklin Street, 12th Floor
Oakland, California 94607-5200

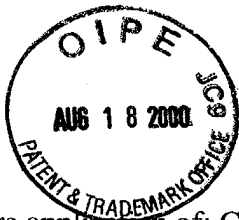
☐ individual ☐ small business concern ☒ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this statement is directed.

NAME OF PERSON SIGNING: Frank E. Hagie
TITLE OF PERSON SIGNING: President & CEO - Applied Phytobiotics, Inc.
ADDRESS OF PERSON SIGNING: 7110 N. Freeway Blvd Sacramento, CA 95834

Signature:  Date: 5/16/00



IN THE UNITED STATES PATENT OFFICE

In re application of: Cho et al.

Art Unit: 1649

Serial No.: 09/538,864

Examiner: Not yet assigned

Filing Date: March 29, 2000

Attorney Docket No. B99-063-2

For: *Value-Added Traits in Grain and Seed
Transformed with Thioredoxin*

ASSOCIATE POWER OF ATTORNEY

To the Commissioner for Patents:

The undersigned, holding an original Power of Attorney in the above-identified application, hereby grants an Associate Power of Attorney to Peter J. Dehlinger, Registration No. 28,006.

PLEASE CHANGE THE CORRESPONDENCE ADDRESS TO:

Peter J. Dehlinger
Iota Pi Law Group
350 Cambridge Avenue, Ste. 250
Palo Alto, CA 94306-1546
Phone: (650) 324-0880; Fax: (650) 324-0960

By:

Richard Aron Osman, Ph.D.
Reg. No. 36,627

Date:

July 20, 2000